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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,207	10/13/2005	Shinichi Azumi	4492-0136PUS1	1238
2292 7590 11/30/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER LABOMBARD, RUTH NAOMI	
			ART UNIT 2852	PAPER NUMBER
			NOTIFICATION DATE 11/30/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

## Office Action Summary

Application No.

10/553,207

Applicant(s)

AZUMI ET AL.

Examiner

Ruth N. LaBombard

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The Office appreciates the inclusion of the APPENDIX; however, the relevance of the figures is not understood despite the description included in the Applicants' remarks on page 7.

#### ***Claim Rejections - 35 USC § 102***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 2 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Bosy (US 6,394,300 B1).

4. With respect to claim 1 Bosy discloses a lock mechanism for an opening and closing member (22), comprising: an opening and closing member (22) that is provided on an apparatus frame (12) and that can be opened and closed; and at least two lock member sets (24, 26 and 28, 42) for sustaining a state in which the opening and closing member (22) is closed with respect to the apparatus frame (12), wherein each of the at least two lock member sets (24, 26 and 28, 42) is constituted by a secured member (24, 28) that is provided on the opening and closing member (22), and a bearing member (26, 42) that is provided on the apparatus frame (12) and that is to elastically secure the secured member (24, 28), an elastic force when the secured member (24, 28) in any one lock member set (28, 42) of the at least two lock member sets (24, 26 and 28, 42) is secured to the bearing member (26, 42) is set to be greater than that of the other lock member set (24, 26), the at least two lock member sets (24, 26 and 28, 42) are provided at an opposite side of an opening and closing axis of the opening and closing member

(22), the at least two lock member sets (24, 26 and 28, 42) are arranged so that each lock member set (24, 26 and 28, 42) is aligned in a line approximately along a width direction of the opening and closing member (22), and the secured member (24, 28), in the any one lock member set (28, 42), secured to the bearing member (26, 42) with the greater elastic force is disposed at a substantially center position (see figure 3) in a direction perpendicular to an opening and closing direction of the opening and closing member (22).

5. With respect to claim 2 Bony discloses wherein the secured members (24, 28) in the lock member sets (24, 26 and 28, 42) are provided on an opening and closing end side of the opening and closing member (22). See figure 3.

6. With respect to claim 4 Bony discloses the at least two lock member sets (24, 26 and 28, 42) are three lock member sets. The lock member sets of Bony comprise two sets of the 24, 26 set and one set of the 28, 42 set.

7. With respect to claim 5 Bony discloses a relative space between a front end of the secured member (24, 28) and the bearing member (26, 42) in the any one lock member set is set to be smaller than relative spaces between a front end of the secured member (24, 28) and the bearing member (26, 42) in the other lock member set, and wherein the any one secured member (24, 28) is secured to the bearing member (26, 42) first when closing the opening and closing member (22).

8. With respect to claim 6 Bony discloses the secured members (24, 28) are formed in one piece with the opening and closing member (22) by integrally molding.

9. With respect to claim 7 Bony discloses the bearing members (26, 42) are formed in one piece with the apparatus frame (12) by integrally molding.

10. Claims 1, 2 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Babcock et al. (US 6,595,605 B1).

11. With respect to claim 1 Babcock et al. disclose a lock mechanism for an opening and closing member (22), comprising: an opening and closing member (22) that is provided on an apparatus frame (12) and that can be opened and closed; and at least two lock member sets (two spring clips 38, tongue 40, catch 44) for sustaining a state in which the opening and closing member (22) is closed with respect to the apparatus frame (12), wherein each of the at least two lock member sets (two spring clips 38, tongue 40, catch 44) is constituted by a secured member (38, 40) that is provided on the opening and closing member (22), and a bearing member (44) that is provided on the apparatus frame (12) and that is to elastically secure the secured member (38, 40), an elastic force when the secured member (38, 40) in any one lock member set (38, 44) of the at least two lock member sets (two spring clips 38, tongue 40, catch 44) is secured to the bearing member (44) is set to be greater than that of the other lock member set (40, 44), the at least two lock member sets (two spring clips 38, tongue 40, catch 44) are provided at an opposite side of an opening and closing axis of the opening and closing member (22), the at least two lock member sets (two spring clips 38, tongue 40, catch 44) are arranged so that each lock member set (two spring clips 38, tongue 40, catch 44) is aligned in a line approximately along a width direction of the opening

and closing member (22), and the secured member (38, 40), in the any one lock member set (38, 44), secured to the bearing member (44) with the greater elastic force is disposed at a substantially center position (see figure 2) in a direction perpendicular to an opening and closing direction of the opening and closing member (22). Lock member sets 38, 44 are substantially disposed at a center portion of the door 22.

12. With respect to claim 2 Babcock et al. disclose wherein the secured members (38, 40) in the lock member sets (two spring clips 38, tongue 40, catch 44) are provided on an opening and closing end side of the opening and closing member (22). See figure 2.

13. With respect to claim 4 Babcock et al. disclose the at least two lock member sets (two spring clips 38, tongue 40, catch 44) are three lock member sets. The lock member sets of Babcock et al. comprise two of the 38, 44 set and one of the 40, 44 set.

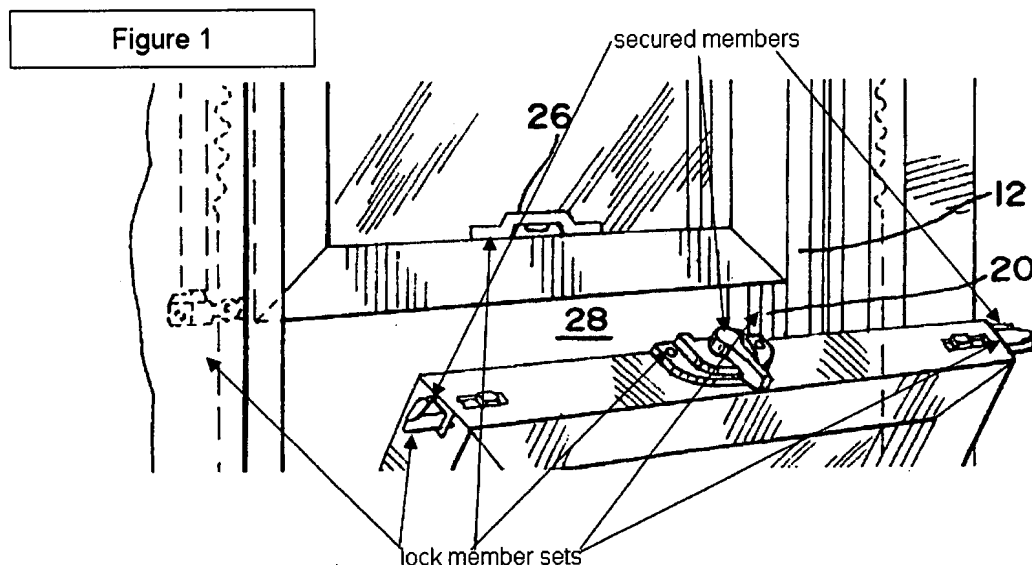
14. With respect to claim 5 Babcock et al. disclose a relative space between a front end of the secured member (38, 40) and the bearing member (44) in the any one lock member set is set to be smaller than relative spaces between a front end of the secured member (38, 40) and the bearing member (44) in the other lock member set, and wherein the any one secured member (38, 40) is secured to the bearing member (44) first when closing the opening and closing member (22).

15. With respect to claim 6 Babcock et al. disclose the secured members (38, 40) are formed in one piece with the opening and closing member (22) by integrally molding.

16. With respect to claim 7 Babcock et al. disclose the bearing members (44) are formed in one piece with the apparatus frame (12) by integrally molding.

17. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Murphy et al. (US 6,568,723 B2).

18. With respect to claim 1 Murphy et al. disclose a lock mechanism for an opening and closing member (16), comprising: an opening and closing member (16) that is provided on an apparatus frame (22) and that can be opened and closed; and at least two lock member sets (see excerpt of figure 1 below) for sustaining a state in which the opening and closing member (16) is closed with respect to the apparatus frame (22), wherein each of the at least two lock member sets is constituted by a secured member (see excerpt of figure 1 below) that is provided on the opening and closing member (16), and a bearing member (20, 26) that is provided on the apparatus frame (22) and that is to elastically secure the secured member, an elastic force when the secured member in any one lock member set (26, 28) of the at least two lock member sets is secured to the bearing member (20, 26) is set to be greater than that of the other lock member set (see excerpt of figure 1 below), the at least two lock member sets are provided at an opposite side of an opening and closing axis of the opening and closing member (16), the at least two lock member sets are arranged so that each lock member set is aligned in a line approximately along a width direction of the opening and closing member (16), and the secured member (28), in the any one lock member set (26, 28), secured to the bearing member (26) with the greater elastic force is disposed at a substantially center position (see figure 1) in a direction perpendicular to an opening and closing direction of the opening and closing member (16).



19. With respect to claim 2 Murphy et al. disclose wherein the secured members in the lock member sets are provided on an opening and closing end side of the opening and closing member (16). See figure 1.

20. With respect to claim 4 Murphy et al. disclose the at least two lock member sets are three lock member sets.

21. With respect to claim 5 Murphy et al. disclose a relative space between a front end of the secured member and the bearing member (20, 26) in the any one lock member set is set to be smaller than relative spaces between a front end of the secured member and the bearing member (20, 26) in the other lock member set, and wherein the any one secured member is secured to the bearing member (20, 26) first when closing the opening and closing member (16). Since the secured member 28 must be manually operated to obtain contact with bearing 26 the unnumbered side latches of figure 1 have a smaller space between them and the bearing 20.



***Allowable Subject Matter***

22. Claim 8 is allowed.

23. The following is an examiner's statement of reasons for allowance: The prior art does not disclose or suggest the claimed "image forming apparatus" in combination with the remaining claim limitations as set forth in claim 8.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Response to Arguments***

24. Applicant's arguments filed 5/22/07 have been fully considered but they are not persuasive. Applicants argue "Bosy does not disclose or suggest the features now recited in amended independent claim 1, and in particular, the at least two lock member sets are provided at an opposite side of an opening and closing axis of the opening and closing member, and the at least two lock member sets are arranged so that each lock member set is aligned in a line approximately along a width direction of the opening and closing member." Contrary to Applicants' argument Bosy clearly discloses three lock member sets, two of which are aligned and provided at opposite sides of an opening and closing axis. See figure 3.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth N. LaBombard whose telephone number is (571)

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272-6430. The examiner can normally be reached on Monday - Friday, 7:30am - 4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RNL/  
11/20/07

A handwritten signature in black ink, appearing to read 'David M. Gray', with a large, loopy flourish extending from the end.

DAVID M. GRAY  
SUPERVISORY PATENT EXAMINER